

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

IYANNA BROWN,

Plaintiff,

v.

FIFTH THIRD FINANCIAL
CORPORATION, an Ohio corporation,

Defendant. _____/

Case No.: _____

Hon. _____

46th District Court
Case No: 15-1699-GC
Honorable William Richard

NOTICE OF REMOVAL

Defendant Fifth Third Financial Corporation (“Fifth Third”) hereby gives notice under 28 U.S.C. §§ 1331 and 1446 of the removal of the above-captioned civil action from the 46th District Court for Oakland County, State of Michigan, where it is pending, to the United States District Court, Eastern District of Michigan, Southern Division.

In support of its Notice of Removal, Fifth Third states:

1. On or about March 25, 2015, Plaintiff Iyanna Brown (“Plaintiff”) filed a complaint against Fifth Third and co-defendants Experian Information Solutions, Inc. (“Experian”), Equifax Information Services, LLC (“Equifax”), and Trans Union, LLC (“TransUnion”) in the 45th District Court for the County of Oakland, State of Michigan (the “Complaint”).

2. On or about May 4, 2015, the Complaint was transferred to 46th District Court for the County of Oakland, State of Michigan, and was docketed as Case No. 15-1699-GC.

3. The 46th District Court is located in the Eastern District of Michigan, Southern Division.

4. The Complaint and Summons were served on Fifth Third by certified mail on June 5, 2015. A copy of the Complaint and Summons is attached as Exhibit A.

5. Upon information and belief, Plaintiff has settled this matter with co-Defendants Experian, Equifax and TransUnion, and Fifth Third will be the only remaining Defendant in this matter.

6. The United States District Court for the Eastern District of Michigan has original jurisdiction over this matter under 28 U.S.C. § 1331, which conveys subject matter jurisdiction in cases arising under the laws of the United States. Counts I and II of the Complaint, pertaining to Fifth Third, assert claims based on the Fair Credit Reporting Act, 15 U.S.C. § 1681 *et seq.*

7. Fifth Third's Notice of Removal, filed on July 2, 2015 is timely, as it is within the thirty (30) day time period after which Fifth Third was served with the Summons and Complaint. 28 U.S.C. § 1446.

8. Plaintiff has agreed to extend the time within which Fifth Third must answer or otherwise respond to the Complaint to July 17, 2015.

9. Fifth Third, therefore, properly removes the action to this Court under 28 U.S.C. § 1446.

10. Fifth Third will file a copy of this Notice of Removal with the Clerk of the Court for the 46th District Court for Oakland County, State of Michigan, promptly after the filing of this Notice of Removal in this Court, and will give written notice of this Notice of Removal to Plaintiff, under 28 U.S.C. § 1446(d). A copy of the Notice of Filing Notice of Removal is attached as Exhibit B.

Dated: July 2, 2015

/s/Laura N. You
Hodayune A. Ghaussi (P63028)
Laura N. You (P76416)
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Attorneys for Defendant Fifth Third

CERTIFICATE OF SERVICE

I certify that on July 2, 2015, I electronically filed the above Notice of Removal with the Clerk of the Court using the ECF system, and via overnight mail to Gary D. Nitzkin, 22142 West Nine Mile Road, Southfield, Michigan 48033.

/s/ Valerie Butler

Valerie Butler